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Liberia

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I. Methodology and consultation process

1. The Republic of Liberia is pleased to submit its National Report to the Second Cycle of the Universal Periodic Review (UPR) and to thereby reaffirm its commitment to the protection and promotion of human rights.

2. The present report covers the period of September 2010 to December 2014 and is the product of consultations with a broad spectrum of Liberian society including governmental actors, members of the Independent National Commission on Human Rights (INCHR), and representatives of civil society organizations. The Human Rights Unit of the Ministry of Justice (MOJ) was responsible for leading the preparation of this report. The MOJ received support from the Human Rights Reporting Sub-committee, a body established under the National Human Rights Action Plan of Liberia comprising representatives from government ministries and agencies, the INCHR, and civil society organizations active in the human rights sector. The Human Rights Unit also received technical support from the Human Rights and Protection Section of the United Nations Mission in Liberia (UNMIL).

3. The Ministry of Justice developed a data collection tool to gather information related to the implementation of recommendations made during the previous UPR cycle. The data collection tool captured specific human rights themes and identified progress made to date, gaps in implementation, and key actors responsible for implementation. The information collected during this process was obtained through desk reviews, interviews with relevant actors, and institutional responses to questionnaires distributed by the MOJ. The final draft of the report was validated in January 2015 when representatives of relevant government institutions, the INCHR, and civil society organizations came together to review and build consensus on the accuracy of the report.

II. Notable achievements and key challenges during the review period

A. Notable achievements

4. Despite the myriad challenges it has faced in recent years, Liberia has enjoyed a number of notable achievements. In 2011, the country conducted its second peaceful national presidential and legislative elections since the cessation of the fourteen-year conflict in 2003. Though the elections were not without political tensions, international observers accredited the elections as free and fair. President Ellen Johnson Sirleaf, Africa's first female elected head of state and a recipient of the 2011 Nobel Peace Prize, was elected to a second term of office. In August 2013, Liberia celebrated ten years of sustained peace, which was lauded by international partners, including the Economic Community of West African States, the African Union, and the United Nations, as an important milestone in the consolidation of peace in the country.

5. In December 2012, Liberia launched a long-term, comprehensive strategy for development, the National Vision: Liberia RISING 2030, in conjunction with a shorter-term action plan for implementation, the Agenda for Transformation (AFT). The AFT encourages participatory governance as part of the government's decentralization strategy and seeks to improve national development through a focus on several key "pillars" including peace, security, and the rule of law (Pillar I); economic transformation (Pillar II); human development (Pillar III); governance and public institutions (Pillar IV); and other cross-cutting issues bearing upon human rights, vulnerable groups, and issues of inequality

(Pillar V). The Government of Liberia is taking the lead in implementation of the AFT in collaboration with civil society organizations and international partners.

6. Also in December 2012, the Government of Liberia launched the Strategic Roadmap for National Healing, Peacebuilding and Reconciliation (the "Reconciliation Roadmap"). The Reconciliation Roadmap seeks to address the recommendations made by the Truth and Reconciliation Commission (TRC) in its final report and prioritizes those recommendations that are most compatible with restorative justice. The Ministry of Internal Affairs (MIA) is leading coordination of the implementation of the Roadmap in collaboration with the INCHR, the Liberia Reconciliation Initiative, the Governance Commission, and the Ministry of Youth and Sports, the Ministry of Gender, Children, and Social Protection,[1] and the Ministry of Education (MOE).

7. Additionally, in December 2013, Liberia launched the National Human Rights Action Plan (NHRAP), a comprehensive five-year strategy designed to improve implementation of Liberia's regional and international human rights obligations and incorporating recommendations made during the first UPR cycle. The NHRAP parses these obligations into achievable and pragmatic "key objectives," and identifies actors who will bear the primary responsibility for implementing these objectives. The NHRAP is governed by a Steering Committee drawn from a broad spectrum of government and civil society actors and meets bi-monthly to follow up on the implementation of the NHRAP.

8. Liberia has also created a number of human rights and human rights-related institutions. These include the Independent National Commission on Human Rights (INCHR), which was established in October 2010, and the Independent Information Commission (IIE), which was created in 2013 pursuant to the Freedom of Information Act of 2010.[2] The IIE is empowered to receive complaints on violations of the right to information and the right to freedom of expression, and to request public disclosure of information covered by the Act.

9. During the period under review, Liberia ratified a number of international and regional human rights instruments. In 2012, the country ratified the Convention on the Rights of Persons with Disabilities, and in 2014, the national legislature domestically ratified several human rights and human rights-related treaties.[3]

10. Liberia has made some progress as well in addressing its reporting obligations under regional and international human rights instruments since the previous UPR cycle. The country has submitted reports for the Convention on the Rights of the Child (CRC) and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). In 2014, Liberia sent its first-ever delegation to the African Commission on Human and Peoples' Rights at its 55th Session in Luanda, Angola, following the 2012 submission of its combined initial and periodic reports covering the years 1982-2012. Additionally, the Ministry of Justice is in the process of drafting a Common Core Document, which it anticipates submitting to the Human Rights Council in 2015, and has also submitted a National Strategy on Meeting Regional and International Human Rights Treaty Obligations to the Office of the President for endorsement by the Cabinet.

B. Key challenges

11. In the four years since its last review, Liberia has continued to face a variety of political, economic, and social challenges inherent to its status as a post-conflict nation. These challenges include endemic corruption and a culture of impunity; high illiteracy and unemployment rates; low professional development; a lack of awareness of human rights among the society at large; the continued existence of dual justice systems and discriminatory laws and practices; a lack of public trust in the judiciary and law

enforcement, often leading to mob violence; residual delays in domesticating regional and international human rights norms; inadequate human and financial resources to fully implement crucial human rights initiatives; and a still-fragile security situation.

12. Most recently, the outbreak of Ebola Virus Disease (EVD) has strained the country's resources severely and has posed the most significant threat to national stability since the end of the civil conflict. By the close of 2014, more than 7,800 cases of EVD had been recorded in the country, resulting in more than 3,300 fatalities, of whom at least 178 were health care workers, dealing a crippling blow to Liberia's already fragile health care system. Hospitals were overwhelmed and did not have sufficient facilities to treat Ebola patients; the Liberian health care system broke down under the pressure and was essentially non-functional for an extended period of time. The President declared a ninety-day State of Emergency in early August and suspended fundamental rights under articles 12, 13, 14, 15, 17, and 24 of the Constitution. The Government imposed a curfew on the city of Monrovia and briefly quarantined some areas of the city, including the highly impoverished West Point community. During a protest of the quarantine in the West Point community, one person was killed and two others were injured in a confrontation with government security forces. The government initiated a board of inquiry to investigate this incident and, based on its own report and that of the INCHR, took disciplinary action against security officers involved.

13. Due to the ongoing EVD crisis, all schools and universities remain closed at the time of submission of this report. The mandatory Senatorial elections, set for 14 October, had to be postponed and were held instead on December 20. On December 3, the Government issued Executive Order 65, restricting public gatherings, rallies, and meetings in Monrovia, to halt the spread of Ebola in the electoral process. Despite some political tensions in the days preceding the elections, they were conducted freely and fairly. Voter turnout was low, however, due to fears of Ebola.

14. Most airlines have suspended travel to and from the country; much of the international aid community has suspended its activities and trade with Liberia has diminished significantly, leading to inflation in the prices of basic commodities and services and negatively impacting the economy at large. Ebola survivors, their families, and health workers face stigmatization and discrimination, and constitute an emerging vulnerable group in need of human rights protections. Lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons are also at increased risk, as public sentiment blamed Liberia's supposed tolerance of homosexuality for the advent of Ebola.[4] The Ebola crisis has exposed the weaknesses of many institutions and functional structures. Its long-term effects on Liberia's development, and its implications for human rights, remain to be seen.

III. Follow-up on implementation of recommendations made during the first UPR cycle

A. International human rights obligations (Recommendations 77.1–77.4, 77.10, 77.21–77.23, 78.1–78.5, 78.10, 78.13, 78.41)

15. **Ratification of international human rights instruments.** The Republic of Liberia ratified the Convention on the Rights of Persons with Disabilities (CRPD) in 2012. The National Commission on Disabilities (NCD) has been designated as the secretariat for the CRPD and is responsible for leading the treaty reporting and implementation processes for the CRPD. In 2013, the Government adopted a national strategy on implementation of the CRPD. Liberia has signed the Optional Protocol to the CRPD and favorably considers its ratification.

16. The Republic of Liberia also favorably considers the ratification of the Optional Protocols to the Convention on the Rights of the Child (CRC) and has already taken a number of legislative and policy measures to comply with the provisions of both instruments. The Children's Law, which was passed in 2011, enshrines the right of the child to be protected from involvement in armed conflicts and violence.[5] With regard to the Optional Protocol on the sale of children, child prostitution, and child pornography, the Children's Law provides for the right of the child to be protected from harmful work and from sexual abuse and exploitation.[6] In 2014, Liberia also launched its Five-Year National Action Plan in the Fight Against the Trafficking of Human Beings, and the Government has established a National Anti-Human Trafficking Task Force co-chaired by the Ministries of Labor and Justice. Furthermore, the Ministry of Health and Social Welfare has placed a moratorium on international adoptions due to concerns about the trafficking of children and has submitted a proposed Child Adoption Act to the legislature to improve the regulation of international adoptions.

17. Additionally, the Republic of Liberia favorably considers the ratification of the International Convention on the Rights of Migrant Workers and Their Families (ICRMW), the International Convention on the Protection of All Persons from Enforced Disappearance (ICPPED), and the Optional Protocols to the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).

18. In order to facilitate the ratification of human rights instruments, and to promote greater coordination among government actors in the areas of treaty ratification, reporting, domestication, and implementation, the Ministry of Justice has submitted a National Strategy for Meeting Regional and International Human Rights Treaty Obligations (the "National Strategy") to the Office of the President for endorsement by the Cabinet. The National Strategy highlights the instruments recommended for ratification by the previous UPR cycle and encourages their ratification at a suggested timetable. It also proposes the establishment of a National Body on Treaty Obligations to coordinate efforts to ratify human rights treaties and to meet existing treaty obligations through the appointment of high-level human rights focal persons at all relevant line ministries and agencies.

19. **Domestication of international treaty obligations/harmonization of domestic legislation with international obligations.** The Republic of Liberia has made notable progress over the past four years in harmonizing its domestic legislation with its international obligations. These include passage of the Children's Law and the New Education Reform Act, which domesticate key provisions of the CRC and CEDAW; passage of the Freedom of Information Act, which domesticates some provisions of the ICCPR; and passage of the Decent Work Bill by the House of Representatives which, once passed by the Senate and enacted into law, will domesticate provisions of the ICESCR.

20. A number of bills have been submitted to the Legislature that, if passed, would further domesticate international and regional human rights instruments. These include An Act to Prohibit and Prevent Torture and Ill-Treatment in Liberia, domesticating the CAT; the Domestic Violence Act, domesticating provisions of CEDAW and the CRC; the Gender Equity in Politics Act, submitted to the legislature in 2010 and currently undergoing revision, domesticating provisions of CEDAW; and the Bill to Repeal All Repressive Laws, aimed at repealing statutes and decrees issued by the People's Redemption Council[7] hindering freedom of expression and freedom of the press. The Legislature is also considering ratification of two fundamental conventions of the International Labour Organization (ILO), the Equal Remuneration Convention of 1951 (No. 100) and the Minimum Wage Convention of 1973 (No. 138).

21. Liberia is currently undergoing a national review of its Constitution through the Constitution Review Committee process. The Constitution Review Committee was established in 2013 and it is anticipated that its work will be completed in 2016. Through consultative forums organized in all fifteen counties of Liberia, the Committee has solicited the views of a broad spectrum of Liberian society, both rural and urban, regarding potential amendments to and revision of the 1986 Constitution. The INCHR has also submitted proposed amendments to further incorporate human rights in the Constitution.

22. While the principle of equality between men and women is already enshrined in article 11 of the Constitution, gender inequality remains an ongoing challenge in Liberian society and is an area of concern to the Committee and the broader community of human rights actors in Liberia. The Committee therefore held, as one of its first activities, a women's consultative forum to solicit input from women with regard to articles that may need to be repealed, amended, or revised.

23. The NHRAP also prioritizes the domestication of international human rights obligations and the harmonization of existing domestic laws with human rights standards and will provide additional support for the completion of this critical national undertaking.

24. **Standing Invitation to the Special Procedures of the Human Rights Council.** The Government is in the process of issuing a Standing Invitation to the Special Procedures to visit Liberia.

B. National Human Rights Action Plans (Recommendations 77.8, 77.17–77.18)

25. The National Human Rights Action Plan for Liberia (NHRAP) was validated on September 27, 2013 and launched on December 10, 2013 to coincide with International Human Rights Day. The work of the NHRAP Steering Committee has been re-launched and the Committee has been meeting bi-monthly.

26. With regard to the recommendation to incorporate women's and children's rights in national human rights action plans, the NHRAP contains provisions for the protection and promotion of the rights of women and children, as well as other vulnerable groups including refugees, the elderly, and persons with disabilities. Liberia has also developed the Liberian National Action Plan for U.N. Resolution 1325 on women, peace, and security and the Ministry of Gender, Children, and Social Protection (MOGCSP) submitted a state party report on implementation of the LNAP in 2012. The MOGCSP has, moreover, adopted a national action plan on adolescent girls. Liberia's National Action Plan in the Fight Against the Trafficking of Human Beings, launched in 2013, constitutes an additional national action plan aimed at promoting and protecting the rights of women and children.

C. National human rights institutions and mechanisms (Recommendations 77.11–77.15, 77.20, 77.66)

27. The Independent National Commission on Human Rights (INCHR) was established on October 28, 2010, with the appointment of seven commissioners, including one chairperson. Initially, four male and three female commissioners were appointed; currently, there are four female and three male commissioners. Civil society was widely involved with the nominations process. A committee of experts, comprised primarily of representatives from civil society organizations, was charged with the processes of vetting and short-listing commissioners.

28. The INCHR has a broad mandate to receive complaints of human rights violations, to monitor and report on human rights conditions, to propose policy and legislation promoting the harmonization of national legislation and practices with international human rights instruments, and to assist in human rights education and public awareness initiatives, among other responsibilities. The INCHR has trained and deployed fourteen human rights monitors in eight out of fifteen counties to monitor and investigate human right issues including prison conditions, excessive pre-trial detention, and cases of harmful traditional practices. Pursuant to the launching of the Reconciliation Roadmap, the INCHR has also been tasked with the responsibility of administering the Palava Hut Program, a community-based reconciliation process. However, due to operational challenges, the INCHR has not been able to function optimally since its establishment in 2010.

29. The Human Rights Unit of the Ministry of Justice is the Secretariat of the National Human Rights Action Plan (NHRAP) and has a mandate to receive and investigate complaints of human rights violations, to conduct human rights monitoring of prisons, and to coordinate the Ministry's responses to international and regional human rights mechanisms, among other duties. The Human Rights Unit of the Ministry of Gender, Children, and Social Protection (MOGCSP) is empowered to received complaints of human rights violations as well and has a mandate to develop and support policies and activities that promote and protect the rights and well-being of women and children. Human Rights Units have also been established within the Armed Forces of Liberia (AFL) and the Liberia National Police (LNP) to integrate human rights education and awareness in the security sector. The Minister of Justice has submitted letters to all relevant line ministries and government agencies requesting the establishment of human rights focal persons at these institutions to better coordinate all human rights-related activities of the government, including treaty reporting.

30. Human rights education remains a priority for the Government, but capacity is limited. The Human Rights and Protection Section of UNMIL has provided technical support in training members of the LNP, the AFL, the INCHR, and other government officers on human rights monitoring, human rights and business, and integrating a human rights-based approach in their operations.

D. Implementation of the recommendations of the Truth and Reconciliation Commission (Recommendations 77.51–77.52, 78.37–78.38)

31. The Republic of Liberia has taken a number of steps to implement the recommendations of the Truth and Reconciliation Commission (TRC). In December 2012, Liberia launched the Strategic Roadmap for National Healing, Peacebuilding, and Reconciliation (the "Reconciliation Roadmap"), an eighteen-year plan for implementing those recommendations made by the TRC that are most compatible with restorative justice. The Roadmap was developed in part through Liberia's engagement with the UN Peacebuilding Commission, with whom it has entered into a Statement of Commitment that prioritizes, among other areas, the promotion of national reconciliation. The Roadmap defines reconciliation as "a multidimensional process of overcoming social, political, and religious cleavages; mending and transforming relationships; healing the physical and psychological wounds from the civil war, as well as confronting and addressing historical wrongs including the structural root causes of conflicts in Liberia."[8] Reconciliation will be promoted by accounting for the past through community-based truth-telling (Palava Hut), atonement, and psychosocial recovery, memorialization, and reparation; by managing the present through political dialogue, conflict prevention and mediation, and women's recovery and empowerment; and by planning for the future with the development of a more

inclusive people's history, national vision and collective identity, and a transformative educational system.[9] The President of Liberia provides overall leadership for implementation of the Roadmap; other principal reconciliation actors include the Ministry of Internal Affairs, the Liberia Reconciliation Initiative, the Independent National Commission on Human Rights, the Governance Commission, and the Ministries of Youth and Sports, Gender, Children, and Social Protection, and Education.

32. Implementation of the Roadmap began in 2013 with the launch of a national history project, overseen by the Governance Commission, with the purpose of providing a more balanced history of Liberia reflective of its ethnic diversity.

33. By 2011, the President had submitted three quarterly reports on the progress made in implementation as required by the TRC Act. The President resumed submission of these reports when she updated the Legislature on progress made on the TRC recommendations in July 2014.

E. Death penalty (Recommendations 78.6–78.9, 78.14–78.20)

34. The Republic of Liberia acknowledges its international obligations under the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty. The law reinstating the death penalty was passed in 2008 amid high rates of armed robbery and hijacking, prompting a demand from the Liberian public for harsher penalties for violent offenders. At the time of submission of this report, nine persons were on death row. However, up to the present time, no executions have been carried out. The President has shown a disinclination to enforce the death penalty and has not signed any death warrant to date. There is, thus, a *de facto* moratorium on capital punishment in Liberia.

35. The Republic of Liberia is taking steps toward a legal abolition of the death penalty as well. The National Human Rights Action Plan (NHRAP) recognizes Liberia's obligation to abolish capital punishment and assigns the task of doing so to specific government entities including the Ministry of Justice and the Legislature. In 2014, the Ministry of Justice initiated a bill to abolish the death penalty and life imprisonment for juvenile offenders, which is currently being considered through a consultative process. The INCHR has also advocated for a Constitutional amendment abolishing the death penalty pursuant to the Constitution Review Committee process.

F. Reform of the justice sector (Recommendations 77.24-77.28, 77.40–77.50, 78.31–78.32, 78.36, 78.39)

36. **Justice and security hubs.** In order to improve access to justice throughout the country, in 2011 the Government of Liberia, in collaboration with international partners, began the process of establishing five regional justice and security hubs. Historically, justice and security services have been heavily centralized in Monrovia, leading to systemic inequalities in access to justice outside the capital. These hubs, by contrast, will decentralize justice and security services and provide for greater national coordination and oversight of the justice and security sectors. They also have a mandate to work closely with civil society in the areas of justice and security. The first hub was completed in Gbarnga in 2013 and is currently operational; hubs two and three are in the process of being established. The Gbarnga hub and all subsequent hubs will be comprised of a contingent of Police Support Unit (PSU) officers, Border Patrol Unit (BPU) officers, courts (both circuit and magisterial), a prison, and a Sexual and Gender-Based Violence (SGBV) Unit, and will

be staffed by public service officers, public defenders, county attorneys, and human rights monitors from the INCHR.

37. **National criminal justice conference.** In a further effort to improve access to justice and to promote reform of the criminal justice sector, the Supreme Court and the Ministry of Justice jointly sponsored a national conference on criminal justice in March 2013. The conference brought together governmental and non-governmental actors in the criminal justice sector, and built consensus on key areas where reform is needed. A number of recommendations were made to the government, including the provision of greater civilian oversight for security agencies and the court system, improved professionalism in the justice sector, the development of a national policy on alternative dispute resolution (ADR), an examination of arrest practices and policies and the use of bail in magistrates' courts, and consideration of the use of plea bargains and legal aid and paralegal services. The Government of Liberia is currently taking these recommendations into consideration.

38. **Pre-trial detention.** Liberia has taken a number of steps to address the high rate of pre-trial detention in the country. The introduction of the Magistrates' Sitting Program (MSP) has brought about a notable decrease in the rate of pre-trial detention at the Monrovia Central Prison, where approximately half of Liberian inmates are held.[10] The MSP is currently functional in eight magistrates' courts in Montserrado County. Between 2012 and 2014, nearly 2,000 cases were heard, of which approximately 500 were dismissed, 700 were transferred, and 800 were remanded. While the MSP is not operational outside of Montserrado County, a similar program ("jail delivery") employs county attorneys who monitor and assess cases of pre-trial detention, and has contributed to lower rates of pre-trial detention in those counties where it has been implemented. Between 2009, when the MSP was first instituted, and early 2014, the average national rate of pre-trial detention was reduced from 87% to 75%.

39. Additionally, the establishment of a division of probation and parole services within the Bureau of Corrections and Rehabilitation of the Ministry of Justice has strengthened ongoing efforts to reduce prison overcrowding and to provide an alternative to pre-trial detention. Probation and parole services programs are currently functional in four counties (Bong, Lofa, Nimba, and Montserrado). Between 2010 and 2014, 300 inmates were released under these programs.

40. More recently, the Ebola crisis has led the government to restrict the application of pre-trial detention in Liberia. The Pre-trial Detention Taskforce, constituted under the leadership of the Ministry of Justice, was convened to control the spread of EVD in overcrowded prisons by reducing the total number of pre-trial detainees. At the height of the Ebola crisis, the Chief Justice of the Supreme Court issued a directive to the judiciary to give preference to alternatives to detention, where possible, and the Solicitor General issued a directive prohibiting the issuance of writs of arrest in petty cases. This has led to a significant reduction in the rate of pre-trial detention in Liberia: between August and October of 2014, the national rate of pre-trial detention dropped from 71% to 63%.

41. **Prisons**. The Government has also taken steps to improve prison conditions. Construction has begun on a new prison for Montserrado County in Cheesemanburg,[11] in order to provide more adequate facilities and to decongest Monrovia Central Prison, which was built for a capacity of 374 but currently houses nearly 800 inmates or approximately one-half of the Liberian prison population.[12] Renovations have also been completed on the National Palace of Corrections in Zwedru and a number of prisons and detention centers throughout the country.[13] The construction of prisons remains a priority in Gbarpolu, Grand Cape Mount, Grand Kru, Lofa, and Sinoe Counties.

42. The Government strives to provide adequate food, water, and health care to inmates and has increased its budgetary allotment for food and health care delivery. The Ministry of

Justice and the Ministry of Health and Social Welfare have signed a Memorandum of Understanding to improve coordination of the delivery of health care services to prison inmates. Seven health care clinics have been built at prison facilities with the assistance of UNMIL's Quick Impact Project fund and health workers provide services to prisons through county health teams.[14] Most prisons have hand pumps on site that provide clean, safe drinking water; where hand pumps are not available,[15] potable water is brought into prisons.

43. The Independent National Commission on Human Rights (INCHR) has unfettered access to prisons and regularly conducts human rights monitoring. The Human Rights Unit of the Ministry of Justice also conducts periodic monitoring of prison facilities. The Government of Liberia permits other human rights organizations access to prisons and detention centers and actively cooperates with more than fifteen local and international organizations[16] that monitor prisons and assist the government in its efforts to improve prison conditions.

44. **Law enforcement**. Liberia is taking steps to improve accountability for law enforcement officials. The Professional Standards Division of the Liberia National Police (LNP) receives complaints of police misconduct and may recommend cases for prosecution. The Government is in the process of submitting a Police Bill to the Legislature. UNMIL and the Ministry of Justice have, additionally, conducted human rights trainings to sensitize police officers on human rights standards. Lack of capacity, both professional and logistical, remains a challenge, however, and the Republic of Liberia recognizes that improving the professional standard of law enforcement will be an ongoing process.

45. **Training of judiciary, prosecutors, public defenders, and other legal professionals.** Liberia continues to face significant challenges in producing and retaining qualified and trained legal professionals due to the destruction of its educational infrastructure and the flight of much of its professional sector during the civil conflict. There is only one law school in the country,[17] which produces a very small number of law graduates each year. The James A. A. Pierre Institute conducts induction and in-service training for judicial and justice officials. In 2013, the Solicitor General's office held four training sessions to improve prosecutorial skills for county attorneys, their assistants, and city solicitors. In April 2012, five new county attorneys and three additional public defenders were trained and assigned to the Gbarnga hub region, which covers three counties, and as of July 2013 the total number of county attorneys stood at twenty, up from fifteen in 2012. In 2014 and as a part of the strengthening and de-concentration of justice services in the hub two and three regions, which cover five counties in southeastern Liberia, an additional nine prosecutors and five public defenders were recruited, trained, and deployed to augment the strength of the county attorney and public defender officers in those areas. By early 2013, there were fifty city solicitors nationwide and in 2014 an additional eighteen law graduates were recruited and trained to enhance their prosecutorial skills. These prosecutors will be deployed to several counties around the country in early 2015. In late 2013, sixty magistrates meeting retirement age were retired by the judiciary, making way for the recruitment of sixty new trained magistrates in early 2014, and plans are underway to begin training an additional cohort of magistrates during the first quarter of 2015. Furthermore, as of 2012, fourteen additional probation officers were trained and deployed, extending the probation service to four counties, and it is anticipated that 2015 will see an additional forty probation officers trained and deployed to cover the remaining eleven counties of Liberia.

46. **Juvenile justice sector reform.** The Child Justice Section of the Ministry of Justice, established jointly with UNICEF in 2011, engages in legislative advocacy, policy formulation, and programmatic activities to promote the rights and welfare of children in

Liberia, and in particular oversees issues related to children who come into conflict with the formal legal system. The Section launched a pilot diversion program in May 2012 to provide alternatives to detention (such as vocational training) for juveniles charged with minor offenses. Approximately sixty juveniles in Bong and Montserrado Counties benefitted from the diversion program in its first year. While the pilot program ended in 2013, the Ministry of Justice is striving to maintain the diversion scheme and to implement it on a permanent basis. The Child Justice Section also chairs a Child Justice Forum comprised of representatives from government ministries and civil society organizations that meets on a regular basis to address issues of child protection, including those related to children who come into conflict with the law. Additionally, the Section conducts weekly case tracking conferences to monitor individual cases of juvenile detention and to develop a strategic response to ensure that these cases are processed in a timely manner and in accordance with the Juvenile Court Procedure Code.[18] The Section conducts monitoring of police depots and prisons as well, in collaboration with the non-governmental organization Prison Fellowship Liberia, and has conducted public awareness campaigns on the juvenile procedural code jointly with the Human Rights Unit of the Ministry of Justice. In 2014, 217 cases of juvenile detention were monitored in six counties; of these, 155 juveniles were released as a result of the Section's efforts, and an additional forty-seven cases were successfully resolved through mediation.

G. Sexual and gender-based violence and discrimination; Women's access to justice (Recommendations 77.29–77.32, 77.35–77.37, 77.50, 77.58, 78.28–78.30)

47. The incidence of sexual and gender-based violence (SGBV) in Liberia is alarmingly high. While there has been a slight increase in the reported numbers of rape and sexual assault in recent years, it is clear that these numbers represent only a small fraction of the actual occurrence of SGBV in the country. Survivors of sexual assault in Liberia face stigmatization and are often pressured by their family members or communities not to pursue formal charges against perpetrators (a practice known as "compromising" rape). Domestic violence is commonplace. Female Genital Mutilation (FGM) continues to be carried out on young girls and women in some regions as part of deeply entrenched secret society cultures.[19] Sex trafficking of women and girls is also a significant problem. Liberian women and girls, who endured atrocious levels of sexual and gender-based violence during the war, are still subjected to SGBV all too frequently despite the advent of peace in the country. The prevalence of SGBV remains one of Liberia's greatest post-conflict challenges.

48. The Republic of Liberia recognizes the gravity of this situation, and is taking a number of steps to combat SGBV throughout the country. The Government has partnered with the UN to establish the Joint Programme on Prevention and Response to Sexual and Gender-Based Violence and has also launched and is implementing a number of national policies to respond to SGBV, including the Liberia National Action Plan to implement Resolution 1325, the National Gender Policy, the Reconciliation Roadmap,[20] the National Human Rights Action Plan,[21] the National Sexual and Reproductive Health Policy[22], and the Gender Based Violence Action Plan. A Domestic Violence Law has also been drafted and submitted to the Legislature for consideration.

49. The SGBV Crimes Unit of the Ministry of Justice oversees the prosecution of SGBV crimes at Criminal Court "E," the specialized court for sexual offenses, and also at the circuit courts in the Justice and Security Hubs 1, 2, and 3 regions. Trained SGBV prosecutors are assigned in the Hub counties (Bong, Lofa, Nimba, Grand Gedeh, River Gee, Sinoe, Maryland, and Grand Kru) to respond speedily to the needs of survivors and to

prosecute sexual offense cases exclusively. Additionally, the Unit provides support to survivors and their families, including access to medical treatment, psychosocial services, temporary protective shelter at safe homes, education and empowerment packages, and start-up grants for small business and farming activities. The Government currently operates eleven safe homes throughout the country.[23] An SGBV sub-unit has been established at the Gbarnga Regional Justice and Security Hub (Hub 1) to provide a prompt response to sexual offense cases occurring in the region. The services of the sub-unit in Gbarnga cover thee counties (Bong, Lofa, and Nimba). Currently, the Unit is in the process of establishing two sub-units in Grand Gedeh and Maryland Counties. The recruitment of eight case liaison officers and victim support officers, to be assigned at the sub-units, is almost concluded. SGBV sub-units will be established at the remaining four security hubs when they are finalized. The Government has also created sixty-one Women and Children Protection Sections (WACPS) under the Liberia National Police, which are specially equipped to investigate SGBV crimes. Sensitivity training has been provided to the staff of the WACPS and other security and medical personnel to ensure that they respond appropriately to the needs of SGBV survivors.

50. The Ministry of Gender, Children, and Social Protection (MOGCSP) has an SGBV Unit and regional SGBV offices throughout the country, which monitor cases of SGBV, produce monthly reports on the incidence of SGBV throughout Liberia, and liaise with the SGBV Unit of the Ministry of Justice to recommend cases for prosecution. The SGBV Unit of the MOGCSP also serves as the secretariat for the Gender-Based Violence Inter-agency Taskforce to coordinate implementation of the National Gender-Based Violence Plan of Action.

51. Liberia has undertaken measures to address the sexual abuse and exploitation of women and children resulting from human trafficking as well. The Government recently launched the Five-Year National Action Plan in the Fight Against the Trafficking of Human Beings[24] as part of its "zero tolerance" stance against human trafficking.[25] The Ministry of Labor has the statutory mandate to oversee and coordinate the Government's efforts to combat human trafficking and co-chairs the Anti-Human Trafficking National Taskforce jointly with the Ministry of Justice. The Taskforce is composed of representatives from all security agencies in Liberia and is responsible for conducting investigations into suspected cases of human trafficking and for providing information on these cases to the police and the courts. Cases of sex trafficking fall under the mandate of the SGBV Unit of the Ministry of Justice, which provides psychosocial, medical, and legal support to survivors and may forward cases for prosecution to Criminal Court "E."

52. The Government is also taking action to address the root causes of SGBV, including the negative perceptions of women in Liberian society, through public awareness and sensitization campaigns. In 2013, President Sirleaf launched the National Anti-Rape Campaign, which condemned rape and SGBV through radio programs, community fora, dialogue with traditional leaders, and other activities, and also educated the public on the rape law. In the past, the Ministry of Gender, UN agencies, and civil society partners have utilized radio dramas, talk shows, and spot messages to attempt to change social attitudes about violence and discrimination against women.

53. Additionally, public awareness and educational campaigns have been carried out to improve women's access to justice. The Law Reform Commission and other partners have published and distributed simplified versions of the rape and inheritance laws, for instance, to make these laws accessible to a broad spectrum of Liberian women.

H. Harmful traditional practices (Female Genital Mutilation, early marriage, and trials by ordeal) (Recommendations 78.21–78.27, 78.34–78.35)

54. The Republic of Liberia opposes harmful traditional practices, including Female Genital Mutilation (FGM), early marriage, and trials by ordeal, and has taken a number of measures to eradicate them. However, the Government has also faced significant challenges in combating these practices as they are deeply rooted in Liberian society, and attempts to curtail them are often strongly resisted by local communities, which perceive government intervention in this area as an attack on their cultural heritage. Additionally, it is often difficult to engage in discussion on these topics, as they are linked to the practices of secret societies and therefore may not be considered suitable for discussion with non-members. Notwithstanding these challenges, the Government has made some inroads against harmful traditional practices since the previous UPR cycle.

55. **FGM and early marriage.** The Government of Liberia has taken a number of legislative and policy measures to combat FGM and early marriage. The Children's Law of 2011 prohibits marriage below the age of eighteen and amends the penal code to make it a felony to subject a child to early marriage or to practices "that violate or endanger the bodily integrity, life, health, [or] dignity..." of a child.[26] The Ministry of Internal Affairs (MIA), which oversees and regulates traditional activities,[27] has indicated that no one may be subjected to FGM or other harmful practices without their consent and that the failure to gain an individual's consent may lead to criminal charges.[28] In 2014, the MIA imposed a ninety-day moratorium on all activities of the Poro and Sande societies in order to conduct a comprehensive review of individual practitioners' licenses following reports of forceful initiations, and simultaneously issued a ban on the initiation of children during the school year.[29]

56. The Government has also worked with traditional leaders to reduce the incidence of harmful traditional practices, including FGM and early marriage. In 2010, the MIA came to an agreement with Zoes and other traditional leaders to locate all bush schools at least twenty-five miles away from communities to discourage the forceful initiation of children.[30] The Government has also worked in partnership with traditional leaders to carry out public awareness and sensitization campaigns and has supported programs that provide alternate sources of livelihood for Zoes and other traditional practitioners, who often rely on these practices as their primary source of income.

57. **Trials by ordeal.** The Supreme Court of Liberia has already outlawed the use of trial by ordeal. However, the practice still exists and enjoys some support in rural communities as an alternate form of justice. The Government has attempted to curtail the use of trials by ordeal by prohibiting the MIA from issuing licenses to traditional practitioners who perform them and has conducted sensitization in rural areas to discourage the practice.

I. Economic, social, and cultural rights (Recommendations 77.54–77.65, 78.11, 78.40–78.41)

58. **The right to an adequate standard of living.** Liberia's economy and infrastructure were devastated during the nation's fourteen-year civil conflict, and despite some recent progress, Liberia is still one of the poorest countries in the world. The Government is striving to improve the standard of living of all Liberians, but challenges remain and the realization of economic and social rights will necessarily be progressive. The recent Ebola crisis has only compounded these challenges as its impact has been felt in virtually all sectors of public life.

59. Liberia has, nonetheless, achieved some progress toward improving the standard of living of its people since the previous UPR cycle. In an effort to bolster the rights of workers as well as those of local communities, the Ministry of Justice has submitted two documents to the Office of the President for endorsement by the Cabinet that formalize the obligations of businesses operating in Liberia to respect human rights and uphold the rule of law.[31] The Government has, in addition, launched the Agenda for Transformation (AFT), which makes specific provisions to improve the standard of living of all Liberians and to promote other economic and social rights as part of a long-term strategy to transition the country to middle-income status by the year 2030.

60. **The right to health**. The Liberian public health system, already weak prior to the Ebola crisis, has been completely overwhelmed by the epidemic. At least 178 Liberian health care personnel have succumbed to Ebola, a devastating blow to a public health system struggling even before the crisis to overcome a significant professional capacity gap. Many hospitals and clinics were forced to close their doors as they were unable to accommodate the increased demand for treatment and lacked the capacity to safely isolate Ebola patients or provide adequate protection to their staff. At the time of submission of this report, the number of new confirmed cases of Ebola had diminished significantly following intensive public information campaigns, the construction of specialized Ebola Treatment Units, and the provision of adequate quantities of protective gear for health care personnel.

61. Prior to the Ebola crisis, Liberia had made some gains in the provision of health care. Maternal mortality rates declined significantly, down from a rate of 994 per 100,000 live births in 2010 to 770 per 100,000 in 2012. The Government launched its National Health and Social Welfare Plan (2011–2021) and was taking over a greater share of the health care funding burden from its international partners, increasing budgetary allocations from 39.8 million USD in 2010–2011 to 54.9 million USD in 2012-2013.[32]

62. **The right to education.** At the time of submission of this report, virtually all Liberian children were being deprived of their right to an education due to the Ebola crisis, which has forced the Government to close all schools as a necessary precautionary measure. Prior to the crisis, the Government had achieved some progress in improving access to education and in bridging the enrollment gap between boys and girls in primary education. The New Education Reform Act, signed into law in 2011, establishes free and compulsory primary education, provides for equal access to educational opportunities for children with special needs, and integrates human rights principles into national educational policy.[33] Liberia has also created a number of teacher training institutions to build capacity in the educational sector.

J. Protection and promotion of the rights of vulnerable groups (Recommendations 77.38–77.39, 77.67–77.70)

63. The Republic of Liberia is committed to protecting and promoting the rights of vulnerable groups including, but not limited to, women, children, the elderly, refugees, persons with disabilities, persons living with HIV/AIDS, and LGBTI persons. The Agenda for Transformation and the National Human Rights Action Plan both make provisions for the protection of vulnerable groups as an area of national priority. The Government has also established and supported a number of ministries and agencies dedicated to addressing the interests of vulnerable groups, including the Ministry of Gender, Children, and Social Protection, the Liberian Refugee, Repatriation, and Resettlement Commission (LRRRC), the National Commission on Disabilities, and the National AIDS Commission (NAC).

64. In 2010, the Liberian legislature passed the HIV Law,[34] which clearly prohibits discrimination and vilification of an individual on the basis of actual or perceived HIV status. In addition to prohibiting discrimination, the law outlines the rights to which persons living with HIV and AIDS in Liberia are entitled. The NAC, in partnership with the Ministry of Justice, launched the national HIV and Human Rights Platform in 2013. The objective of the Platform is to promote and coordinate the response of key stakeholders to HIV-related human rights issues and violations. The Platform also creates a legal environment for the enforcement of the HIV Law. Currently, the Platform is working with the Inter-Religious Council of Liberia to ensure that religious communities are informed about and engaged in the national HIV response.

65. Liberia has ratified both the international and regional African conventions on the rights of refugees[35] and recognizes its obligations to create durable solutions for refugees. The LRRRC works closely with the United Nations High Commission on Refugees to promote the repatriation and resettlement of refugees. At the time of submission of this report, there were approximately 32,400 registered refugees within Liberian territory, the majority of whom were nationals of neighboring Ivory Coast.[36] Liberia has been working to assist in the voluntary repatriation of Ivorian refugees for the past few years. Voluntary repatriation of Ivorian refugees was temporarily suspended between April and June of 2014 at the request of the Ivorian government to prevent the spread of Ebola but has since recommenced.

IV. Key national priorities

66. Based on consultations with key stakeholders from a variety of government institutions, the INCHR, and civil society organizations, the following areas were identified as key national human rights priorities:

- Continue raising awareness of traditional actors on the human rights implications of harmful traditional practices;
- Continue strengthening the capacity of government institutions, including the judiciary, police, corrections, and government ministries on human rights and the application of a human rights-based approach;
- Submit backlogged treaty reports and take steps to ratify, domesticate, and implement human rights conventions;
- Implement the National Human Rights Action Plan (NHRAP) by providing adequate budgetary allocations;
- Establish human rights focal persons at all ministries and key government institutions and agencies to coordinate human rights activities of the government and to facilitate compliance with treaty obligations including reporting;
- Ensure that the Constitution Review Committee process incorporates human rights into the proposed Constitutional amendments;
- Ensure the full independence of and provide adequate resources to support the Independent National Commission on Human Rights (INCHR) so that it may fully implement its mandate;
- Provide necessary ministerial support to INCHR to implement the National Palava Hut Program;
- Reduce the rate of pre-trial detention by promoting the right to a speedy trial;
- Ensure the effective implementation of the right to free and compulsory education;

- Reinforce efforts to improve the standard of living of all Liberians, with particular attention given to access to health care services, education, employment opportunities, and safe drinking water, among others;
- Continue to promote and protect the rights of vulnerable groups, including women, children, the elderly, refugees, persons with disabilities, persons living with HIV/AIDS, and LGBTI persons; and
- Take measures to reduce the high levels of SGBV and ensure that those who perpetrate SGBV crimes are brought to justice.

V. Expectations in terms of international assistance

67. Based on consultations with key stakeholders from a variety of government institutions and civil society organizations, the following expectations for international assistance were formulated:

- Enhance the capacity of civil society organizations to monitor, report, and advocate on human rights;
- Provide assistance for the INCHR to implement its core mandate and the Palava Hut Program;
- Provide support to facilitate compliance with international human rights treaty obligations, including treaty reporting, domestication, and implementation of the recommendations of treaty bodies and the UPR; and
- Support the capacity building of government actors, in particular the judiciary, the police, and corrections officials, as well as human rights focal persons at ministries and agencies on thematic human rights issues, including the application of the human rights-based approach in development programs.

Notes

[1] Formerly known as the Ministry of Gender and Development, it was reconstituted as the Ministry of Gender, Children, and Social Protection in 2014.
[2] This Act was in line with the Table Mountain Declaration, to which Liberia was one of the earliest signatories.
[3] The Protocol on the Statute of the African Court of Justice and Human Rights, the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (or the "Kampala Convention"), the Second Revised Cotonou Agreement of 2010, the African Charter on Democracy, Elections, and Governance, and the OAU Convention for the Elimination of Mercenarism.
[4] For example, the Liberian Council of Churches and the Archbishop of the Catholic Church of Liberia issued public statements characterizing Ebola as a form of divine retribution for homosexual acts and tolerance of homosexuality.
[5] The Children's Law of Liberia (2011), section 22.
[6] *Id.*, sections 20–21.
[7] The People's Redemption Council was created by the Doe regime following the 1980 coup d'état.
[8] Republic of Liberia, *Towards a Reconciled, Peaceful, and Prosperous Liberia: A Strategic Roadmap for National Healing, Peacebuilding, and Reconciliation 2012-2030*, at 2 (2012) [hereinafter Reconciliation Roadmap].
[9] *Id.*, 2–3.
[10] In 2010, when the MSP was created, pre-trial detainees at Monrovia Central Prison constituted approximately 86% of the prison population; by 2011, this number was reduced to 79%.
[11] Though the project is temporarily on hold due to the Ebola crisis, it is anticipated that work will recommence when the crisis has come to an end.
[12] As of December 3, 2014, Monrovia Central Prison held 794 out of 1608 inmates nationwide.

[11] For example, new prisons have been constructed in Bopolu, Rivercess, and Fishtown under the UNMIL Quick Impact program.

[12] These clinics have been constructed at Monrovia Central Prison, Tubmanburg, Kakata, Buchanan, Sanniquellie, Grand Gedeh, and Gbarnga.

[13] Robertsport Detention Center, Gbarpolu Detention Center, and Bondiway Detention Center.

[14] These include the International Committee of the Red Cross, the Human Rights Section and the Corrections Advisory Unit of UNMIL, Prison Fellowship Liberia, Second Chance, the Carter Center, Aglow International Prison Ministry Charter, Catholic Relief Services, the National TB Control Program, Prison Outreach Ministries, the Evangelical Association of Churches and Ministries, and the Liberia National Law Enforcement Association.

[17] The Louis Arthur Grimes School of Law at the University of Liberia, located in Monrovia.

[18] Section 11 of the New Judiciary Law of 1976 is commonly referred to as the "Juvenile Court Procedure Code."

[19] FGM will be treated in depth in a later section of the report dedicated to harmful traditional practices, the Government recognizes, however, that FGM is also a form of gender-based violence.

[20] The Roadmap prioritizes the TRC's recommendations for women's psychosocial recovery and empowerment in response to the SGBV suffered by Liberian women during the war.

[21] The NHRAP incorporates all of the recommendations made during the first UPR cycle, including those relative to SGBV and women's access to justice.

[22] The National Sexual and Reproductive Health Policy contains provisions for the treatment of survivors of sexual violence.

[23] Safe homes are currently functional in Bong, Grand Bassa, Grand Cape Mount, Lofa, Margibi, Montserrado, Nimba, and River Gee Counties.

[24] Covering the years 2013–2018.

[25] Human trafficking is illegal in Liberia: in 2005, the Legislature passed the comprehensive Act to Ban Trafficking in Persons within the Republic.

[26] Section 16.5, "Subjecting a Child to Harmful Practices," stipulates that "[a] person commits a felony of second degree if she or he subjects a child to any of the following practices: (a) facilitating the marriage to any person when she or he is still under the age of 18; (b) forcing a child to marry another person; (c) betrothing a child into marriage or a promise for marriage; (d) exposing the child to harmful or hazardous work; (e) or a practice that violates or endangers the bodily integrity, life, health, dignity, education, welfare, or holistic development of the child." An Act to Amend Sections 14, 16, 17, and 18 of the Penal Law, Title 26, Liberian Code of Laws Revised and to Add Thereto a New Section 20 (2011).

[27] Traditional practitioners, including Zoes—leaders of the all-female Sande society who normally perform FGM—must obtain a license to practice from the MIA.

[28] "A person who uses any form of force or intimidation to compel another person to yield to, or be initiated into, any tribal ritual or traditional practice is taking a risk and could be arrested, charged, and prosecuted for violation of civil and human rights in Liberia." General Circular No. 12, Ministry of Internal Affairs, Republic of Liberia (Jan. 15, 2013), ¶ 3.

[29] General Circular No. 13, Ministry of Internal Affairs, Republic of Liberia (June 2, 2014).

[30] So-called "bush schools" are operated by secret societies and are where traditional practices are carried out. Evidence suggests that when bush schools are located in very close proximity to public schools and communities, more children are sent by their caregivers to bush schools.

[31] These documents consist of a statement of commitment for all businesses registering with the Liberia Business Registry to respect human rights and a human rights policy template for inclusion in all concession agreements.

[32] Republic of Liberia, Ministry of Health and Social Welfare, 2012 Annual Report.

[33] Additionally, the Policy on Girls' Education of 2006 was revised in 2013 to more closely align with the New Education Reform Act.

[34] An Act to Amend the Public Health Law, Title 33, Liberia Code of Laws Revised (1976), to Create a New Chapter 18 Providing for the "Control of Human Immunodeficiency Virus (HIV) and Acquired Immunodeficiency Syndrome (AIDS)."

[35] The Convention Relating to the Status of Refugees (CRSR), the Protocol to the CRSR, and the OAU Refugee Convention.

[36] *See* data.unhcr.org/Liberia/regional.php (last accessed Jan. 4, 2015).